

The GRANITE STATE NEWS

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Tuesday, incumbent Sheriff Dominic Richiardi of Conway with 74 percent of the votes cast at press time easily defeated challenger Luke Freudenberg of Wolfeboro for the Republican nomination. Since there is no Democratic candidate for sheriff, Richiardi is assured of re-election to a third term in the Nov. 8 general election.

In the race for the District 1 seat on the Executive Council incumbent Joe Kenney of Wakefield

Transfer station costs running higher in Tufonboro

BY ELISSA PAQUETTE

Contributing Writer

TUFTONBORO

Tufonboro Transfer Station Manager Clay Gallagher shared his concern about the persistent trend toward increasing construction

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Amatucci files article mandating

investigation of public officials 17 of her 29 claims against town dismissed

BY THOMAS BEELE

Editor

WOLFEBORO — On Friday, Sept. 2, Wolfeboro resident Josephine Amatucci filed a petition

warrant article signed by the required 25 voters with Wolfeboro Town Clerk Pat Waterman.

Under state law the article cannot be amended and will appear on the March 14, 2017, ballot as submitted.

The title of the petition article is "Committee Crime Control" and

Charter, that would provide for a safer community. By MANDATING

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Transfer station costs running higher in Tufonboro

and demolition (C/D) debris disposal costs with selectmen during the Primary Election day meeting of Sept. 13. He

said his budget lines for disposing municipal solid waste, C/D and plastic are all up and the three combined could amount

to a nearly \$25,000 over budget. He said he will take money from other un-

SEE COSTS PAGE A13

Granting building permits on

Class VI roads again an issue

BY THOMAS BEELE

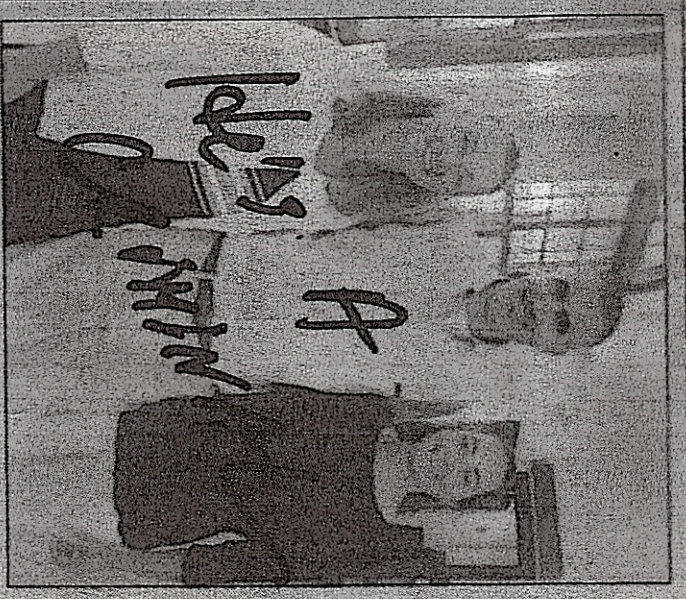
Editor

WOLFEBORO — At its Sept. 7 meeting Wolfeboro selectmen for a second time voted in favor of granting a building permit on a Class VI road.

This time, however, the circumstances were different and the board's criteria for granting a permit were reviewed in detail before a vote was taken.

The first permit granted by the board, for a new house on Stoneham Road, is being challenged by Suzanne Ryan and a number of North Wolfeboro residents as being improperly granted.

SEE PERMITS PAGE A12



THOMAS BEELE

A fond farewell for Rob Houseman

More than 75 friends and colleagues came to an afternoon reception for departing Town Planning Rob Houseman on Tuesday, Sept. 6 to thank him for his more than 20 years

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Investigations of public officials for their criminal and civil rights violations filed by the public. A procedure where the accuser is interviewed first, gets written statements, interviews witnesses, gets written statements, interviews the accused public official last, gets written statement or written defense. And must never discuss the investigation with the accused official 'off the record'. Does not place the investigative file in the accused official's personnel file. Makes it MANDATORY (1) to receive and register each complaint; (2) to conduct investigations that includes the Complainant; (3) to provide a written response to every Complaint; (4) to have subpoena powers to compel the attendance of witnesses for the purposes of the production of documents; (5) a policy that would remove any and all discretion by the town officials whether to investigate or not to investigate; (6) an investigation by an outside unbiased Agency that would have to ability to

recommend Termina-
tion."

Amatucci has been demanding for some time an independent criminal investigation of events that took place on May 7, 2014, when she alleges she was threatened by Wolfeboro Police Chief Stuart Chase and assaulted and physically restrained by former Town Planner Rob Houseman, who was serving as acting town manager that day in the absence of Town Manager David Owen. She has demanded that both men be fired along with Wolfeboro Police Capt. Dean Rondeau whom she claims made a false traffic report against her.

Wolfeboro selectmen have maintained that the town police commission has sole oversight of police personnel matters. The police commission has declined to undertake the independent investigation, as has the state attorney general's office, based on the claims presented.

Amatucci lawsuits

One result of the failure of these demands has been a series of lawsuits filed in Carroll

County Superior Court and U.S. District Court for the State of New Hampshire. The town filed a suit of its own in Superior Court against Amatucci in April, asking the court to declare her a "vexatious litigant" for filing frivolous lawsuits intended only to harass. To date the town's lawsuit has not been decided. If Amatucci is declared a vexatious litigant she will be required to be represented by an attorney or put in escrow the defendant's estimated legal costs.

As for the nine federal lawsuits filed against the town, town officials, the police prosecutor and the state by Amatucci in connection with the events of May 7, 2014, United States Magistrate Judge Andrew K. Johnstone reviewed them and rendered her recommendations on Aug. 5. Judge Johnstone notes at the outset of her opinion that of the nine lawsuits filed in U.S. District Court for New Hampshire, three were voluntarily dismissed by Amatucci: Amatucci v. Town of Wolfeboro (Case No. 15-cv-38-SM); Amatucci v. Town of Wolfeboro (No. 15-cv-300-JL);

and Amatucci v. Chase (No. 16-cv-206 SM).

Of the remaining six cases, four have now been consolidated into one: Josephine Amatucci v. James O'Brien et al. (No. 15-cv-356-JL), now includes Amatucci v. Owen (No. 16-cv-82-JL), Amatucci v. Dube (No. 16-cv-207-JD) and Amatucci v. Chase (No. 16-cv-208-JL).

The last two of the nine cases, Amatucci v. New Hampshire (No. 16-cv-229-JL) and Amatucci v. Morgan (No. 16-cv-265-LM) "are pending preliminary review."

Judge Johnstone's 37-page opinion reviews all of the 29 claims made in the consolidated cases and determines that in 12 of them "Amatucci has stated the minimum facts necessary to allow those claims to be served on the defendants." That decision does not mean that the judge believes that the defendants are guilty of those claims, only that they need to respond to the claims.

The judge also recommended that 17 claims be dismissed, along with Amatucci's motion for summary judgment, and that Administrative Assistant Anne Marble,

State Trooper Greg Dube (who pulled Amatucci over for a traffic violation in May 2015), and Capt. Dean Rondeau and Police Prosecutor Timothy Morgan of the Wolfeboro Police Department be dropped, as defendants because "Amatucci has not asserted any actionable claim against those defendants."

No written response to the 12 claims against the town has been made at press time.

Number of suits and costs

Last June this reporter asked Town Manager Owen how many lawsuits Amatucci has filed against the town, not limited to the May 7, 2014, incident. At Owens request Town Counsel Mark Puffer responded, "To the best of my knowledge, she has filed 31 lawsuits against the Town and/or its officials, boards and employees, since 2005, 26 (14 in Carroll Superior Court and 12 in United States District Court) have been dismissed and gone to final judgment, and 5 more are still pending in USDC, awaiting a ruling as to whether the Town should be served. Two

have been filed since the April 13 trial, and they were a third that was filed just before the trial the we were not aware of at that time."

Amatucci has objected to reports in this newspaper that her suit against the town has cost the taxpayers more than \$30,000. On July 1 she wrote a letter the editor demanding a front page story that would "tell the public that it is not my lawsuits that are costing the taxpayers money, as when anyone files a lawsuit against the Town, the Town's insurance company, Primex steps in and pays for the lawsuit." When asked by email about this assertion, Owen responded, "She obviously doesn't understand that Primex does not defend the Town in all of her lawsuits, just those seeking monetary damages from the Town, and that her lawsuits have cost the Town far more than \$30,000."

Owen also noted that Primex is increasing the town's insurance rates by up to 10 percent in each of the next two years. Insurance rate increases are determined by claims experience.